

## Paul Kwan

Partner | Litigation and Dispute Resolution | Hong Kong

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Paul specialises in litigation and dispute resolution. He has extensive experience in a broad range of litigation matters, including company matters, banking disputes, shareholder disputes, regulatory and investigatory matters, commercial fraud, land title disputes, building management issues, landlord and tenancy disputes, land resumption cases, contentious probate, trusts, matrimonial proceedings and family settlement, employment disputes and major commercial cross-border litigation.

Paul regularly advises the government, developers, management companies and incorporated owners on all contentious property, tenancy and building management matters and on land resumption and compulsory sale cases.

In addition, Paul is also familiar with handling EOC complaints and discrimination cases. He regularly advises on staff redundancy, disciplinary issues and internal control mechanisms, and represents clients in obtaining injunctions against ex-employees for breach of non-competition and secrecy clauses.

He often represents companies or shareholders in various company, shareholder or contractual disputes, including cross-border disputes. He has acted as expert witness in Hong Kong law in relation to foreign commercial disputes on a number of occasions.

Paul regularly advises banks in relation to contentious matters involving allegations of mis-selling of investment products, anti-money laundering issues, breach of mandate etc.

He also handles a wide range of commercial disputes including sale of goods, agency and distributorship, mortgage action and money lenders claims.

Paul is experienced in dealing with commercial crime and investigations by the CCB, ICAC and SFC.

### Highlights

- Acting for a bank in defence of claims of mis-selling of investment products by high net worth individuals.
- Acting for a bank to defend an application for mandatory injunction for the release of monies frozen pursuant to the Organised and Serious Crimes Ordinance.
- Acting for a client in a banking dispute in relation to loan and mortgage documentation and involving multiple concurrent proceedings in Hong Kong, the PRC, Barbados and the PRC.
- Acting for a German based company to obtain Norwich Pharmacal discovery orders and injunctions and judgments against various parties in respect of various fraudulent schemes based on forged documents.
- Acting for the beneficiaries of an estate to defend a claim of adverse possession in relation to the estate's property representing a wall resting on an adjacent development.
- Acting for a multi-national advertising group to defend a member's application for inspection of records under the Companies Ordinance.
- Acting for the administrators of a substantial estate involving trusts and assets in various jurisdictions including Singapore, Switzerland and New Zealand.
- Acting for a buyer claiming against a factory for supply of defective parts resulting in



### Principal Areas

- Family Law
- Litigation and Dispute Resolution
  - Banking Litigation
  - Employment Disputes
  - Fraud and Asset Tracing
  - Product Liability
  - Professional Negligence
  - Shareholder and Partnership Disputes
  - Trust, Probate and Private Wealth Disputes
- Private Clients
- Real Estate
  - Real Estate Disputes
- Regulatory
  - Bribery, Fraud and Corruption

### Sectors

- Consumer Goods and Retail
- Education
- FinTech
- Hospitality and Leisure
- Private Wealth
- Technology, Media and Telecom

### Languages

- English
- Cantonese

### Jurisdictions

- Hong Kong

worldwide product recall exercise.

## More about Paul Kwan

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### Accolades

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- Recognised as a leading lawyer for Dispute Resolution: Litigation (International Firms) by Chambers Greater China Region (2023-2024)
- Recommended in the area of Dispute Resolution: Litigation (Hong Kong) in Legal 500 Asia Pacific (2021 – 2024)
- Recognised in Legal 500 Asia Pacific (2018) – "... and 'sensible adviser' Paul Kwan"

### Appointments/Memberships

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Member, The Law Society of Hong Kong

Editorial Advisory Board: Hong Kong Encyclopaedia of Forms and Precedents

Editorial Board: Lexis Practical Guidance Dispute Resolution

### Education

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Bachelor of Laws, 1989

Postgraduate Certificate in Laws, 1990

Master of Laws, 1996

### Publications

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*Co-Author of various legal publications:*

- Global Legal Insights – Bribery & Corruption Laws and Regulations 2024 (Hong Kong Chapter)
- ICLG – Sanctions (Hong Kong Chapter) (2024)
- The International Comparative Legal Guides ("ICLG") – Class and Group Actions (Hong Kong Chapter) (2020 to 2024)
- ICLG – Product Liability Laws and Regulations (Hong Kong Chapter) (2023 to 2024)
- ICLG – Consumer Protection (Hong Kong Chapter) (2022)
- The Labour and Employment Disputes Review: Hong Kong of The Law Reviews (2018 to 2024)
- Company Secretarial Manual
- Hong Kong Employment Law – A Comprehensive Guide
- Employment Termination Report
- Guide to Hong Kong Law (1st to 4th Edition)
- The Hong Kong Encyclopedia of Forms and Precedents (Business Organisations: Partnership)
- The New Companies Ordinance Vol.II: Company Financing – Equity & Debt
- The New Companies Ordinance Vol.IV: Directors, Company Secretaries & Shareholder Remedies

*Sole Author of legal publication:*

- Hong Kong Corporate Law (2006) (Hard Cover)
- Hong Kong Corporate Law (2010 to present) (Loose Leaf) (6 Volumes)

## Recent Activities

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### Seminars

Speaker and guest lecturer for universities and professional institution on corporate law, corporate governance and compliance.